

DAC

Attorney Docket No. 9400-47

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Thomas A. Anschutz et al.

Confirmation No.: 4265

Serial No.: 10/716,051

Group Art Unit: 2661

Filed: November 18, 2003

For: SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR
MANAGING QUALITY OF SERVICE, SESSION AUTHENTICATION AND/OR
BANDWIDTH ALLOCATION IN A REGIONAL/ACCESS NETWORK (RAN)

March 9, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of November 18, 2003 rather than November 19, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of November 18, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

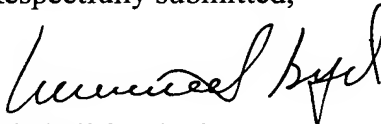
1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS of November 18, 2003; and
3. True and accurate copies of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office ("USPTO"), showing that Applicant was improperly given the filing date of November 19, 2003, instead of the Express Mail date of November 18, 2003.

This petition is being filed after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of November 18, 2003 as the filing date pursuant to 37 CFR § 1.10.

In re: Thomas A. Anschutz et al.
Serial No.: 10/716,051
Filed: November 18, 2003
Page 2

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

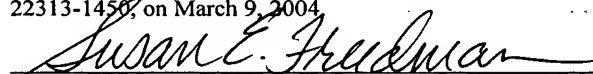


Mitchell S. Bigel
Registration No. 29,614

USPTO Customer No. 39072
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

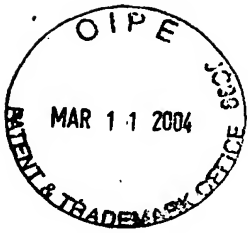
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 9, 2004.



Susan E. Freedman

Date of Signature: March 9, 2004



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 9400-47 (030312)

DATE: November 18, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☒ a patent application
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: _____; filed _____, the disclosure of which is incorporated herein by reference in its entirety.
☒ and claims the benefit of Provisional Application No. 60/470,650; filed May 15, 2003.

Inventor(s) or Application Identifier:

**Thomas Arnold Anschutz; Jeffrey Patrick Cassanova; Scott Crandall Holt;
Nicholas Steven Huslak; Edgar Vaughan Shrum, Jr.; Scott Traynham Stillman;
Li Zhang**

Entitled: **SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR
MANAGING QUALITY OF SERVICE, SESSION AUTHENTICATION AND/OR
BANDWIDTH ALLOCATION IN A REGIONAL/ACCESS NETWORK (RAN)**

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 39072

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 87 pages of Specification (including 44 claims)
3. ☒ 26 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☒ newly executed (*original or copy*)
 - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*)) [Note Box 6 Below]
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76

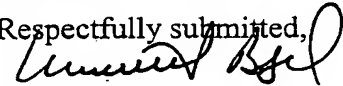
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s)*)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☐ Information Disclosure Statement, PTO-1449, and _____ references cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of _____ Application No. _____; Filed _____
14. ☐ Sequence Listing/ Sequence Listing Diskette
- a. ☐ computer readable copy
- b. ☐ paper copy
- c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventor(s) (Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).)
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	44 - 20 =	24	x 09 = \$	x 18 = \$ 432.00
INDEP CLAIMS	3 - 3 =	0	x 43 = \$	x 86 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$1202.00

- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ A check in the amount of \$1,242.00 is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$ _____
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,


Mitchell S. Bigel
Registration No. 29,614

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 318416744 US

Date of Deposit: November 18, 2003.

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Susan E. Freedman

Date of Signature: November 18, 2003

COPY



EV 318416744 US



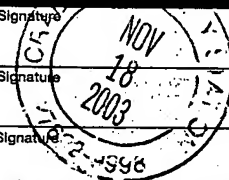
UNITED STATES POSTAL SERVICE®

Customer Copy
Label 11-F June 2002

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)			
PO ZIP Code 27622	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>	
Date In Mo. Day Year	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 17.85	
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee	Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials THW	Total Postage & Fees \$ 17.85	

DELIVERY (POSTAL USE ONLY)		
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <small>Waiver of Signature (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. If delivery is to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.</small>		
Customer Signature		



CUSTOMER USE ONLY
METHOD OF PAYMENT:
Express Mail Corporate Acct. No. **X276081**

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT) PHONE **919, 854 1400**

MYERS SIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH NC 27627-7428

MSB:sef 9400-47

TO: (PLEASE PRINT) PHONE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



COPY

EV 318416744 US

MSB:sef

9400-47

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

03945 U.S. PTO
10/716051

November 18, 2003



111903

Sir: Kindly acknowledge receipt of the accompanying by placing your receiving date stamp hereon and mailing: 11-28-03 A09:53 IN

Application Transmittal (in duplicate); Check-\$1,242.00; Declaration and Power of Attorney for Patent Application; Patent Application (87 pages, 44 claims, 26 drawing sheets); Assignment Recordation Form Cover Sheet and Assignment; In re: **Thomas Arnold Anschutz; Jeffrey Patrick Cassanova; Scott Crandall Holt; Nicholas Steven Huslak; Edgar Vaughan Shrum, Jr.; Scott Traynham Stillman; Li Zhang**; For: **SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR MANAGING QUALITY OF SERVICE, SESSION AUTHENTICATION AND/OR BANDWIDTH ALLOCATION IN A REGIONAL/ACCESS NETWORK (RAN)**

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC

MSB

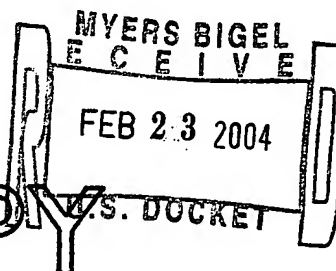


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/716,051	11/19/2003	2661	1202	9400-47 (030312)	26	44	3

39072
 MYERS BIGEL SIBLEY & SAJOVEC, P.A.
 P.O. BOX 37428
 RALEIGH, NC 27627



CONFIRMATION NO. 4265

FILING RECEIPT



OC000000011936530

COPY

Date Mailed: 02/20/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Thomas Arnold Anschutz, Conyers, GA;
 Jeffrey Patrick Cassanova, Villa Rica, GA;
 Scott Crandall Holt, Decatur, GA;
 Nicholas-Steven Huslak, Duluth, GA;
 Edgar Vaughan Shrum JR., Smyrna, GA;
 Scott Traynham Stillman, Peachtree City, GA;
 Li Zhang, Alpharetta, CA;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/470,650 05/15/2003

Foreign Applications

If Required, Foreign Filing License Granted: 02/19/2004

Projected Publication Date: 11/18/2004

Non-Publication Request: No

02-23-04 A09:49 IN

Early Publication Request: No

Title

Systems, methods and computer program products for managing quality of service, session, authentication and/or bandwidth allocation in a regional/access network (RAN)

Preliminary Class

370

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).